

REMARKS

Claims 1 and 2 have been amended. No claims have been cancelled and no new claims have been added. No new matter is believed introduced via these amendments.

In the outstanding Office Action, claim 2 was rejected under 35 U.S.C. §112, second paragraph, because it was not in proper Markush format. Claim 2 has now been amended to place it in proper Markush format. Accordingly, applicants respectfully submit that this rejection has been overcome.

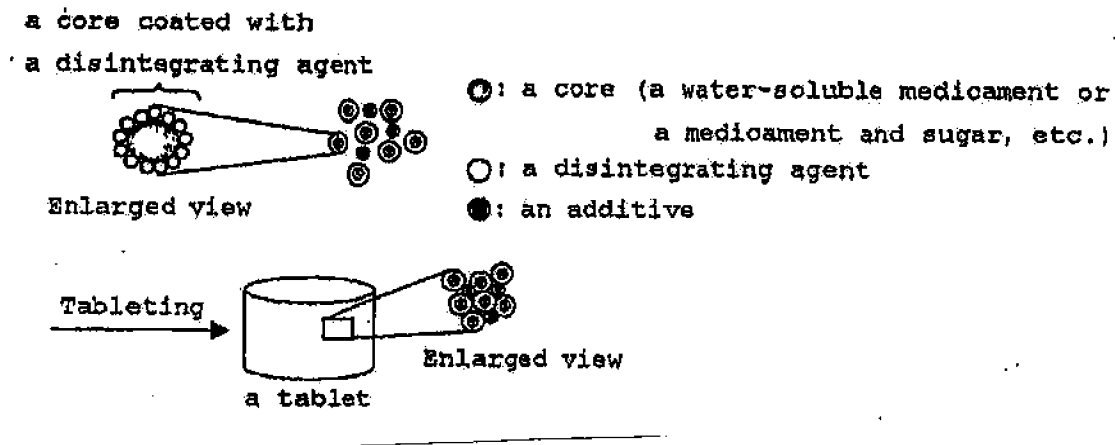
Claims 1 through 5 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,576,014 to Mizumoto, et. al. (hereinafter "Mizumoto"). The Examiner contends Mizumoto discloses an intraorally rapidly disintegrating tablet (col. 1, lines 9-28) and further discloses the claimed tablet as follows:

- The core granule (comprising a medicament and a sugar) coated with a pharmaceutical disintegrating agent of instant claim (*see* col. 7, lines 19-46; col. 13, lines 39-43);
- The disintegrating agent of instant claim 2 (*see* col. 6, lines 23 and 24);
- The sugar of instant claim 3 (*see* col. 7, lines 19 and 20);
- The average particle diameter of instant claim 4 (*see* col. 7, lines 50 and 51); and
- The tablet thickness of instant claim 5 (*see* col. 5, line 37).

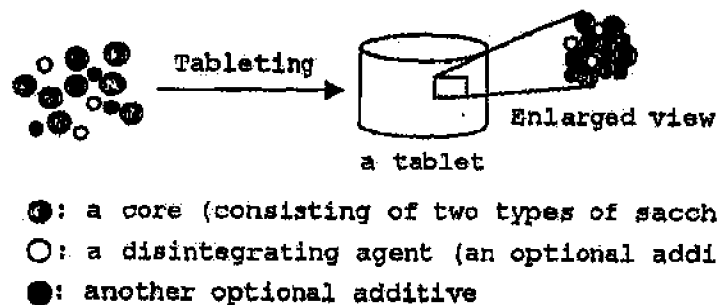
Office Action at page 3.

This rejection is respectfully traversed. Mizumoto does not teach or suggest the invention as presently claimed.

First, claim 1 has now been amended to make clear that the cores themselves are coated with a pharmaceutical disintegrating agent. The structure of the claimed tablet can be visualized as follows:



Mizumoto does not disclose a tablet where the core themselves are coated with a pharmaceutical disintegrating agent. Rather, Mizumoto teaches that the disintegrating agent may be generally used in the course of production of tablets (*see* col. 13, lines 32-38) if necessary. The structure of the Mizumoto tablets can be visualized as follows:



Mizumoto attains adequate hardness and quick disintegration by tableting core granules comprising a saccharine having low moldability and a saccharine having high moldability. See Mizumoto at col. 6, lines 4-16 and col. 7, lines 3-46. In Mizumoto, disintegrating agents may be simply used as optional additives. See Mizumoto at col. 13, lines 32-38 and col. 20, claim 16.

In comparison, the presently claimed invention attains an adequate hardness and quick disintegration by tableting core granules which are coated with a disintegrating agent. Thus, in the present invention, disintegrating agents are required.

In addition to the above, the Examiner has contended that Mizumoto discloses the disintegrating agents of pending claim 2 at column 6, lines 23 and 24. The disintegrating agents, however, disclosed at column 6, lines 23 and 24 of Mizumoto are hydroxypropylcellulose (HPC) and hydroxypropylmethylcellulose (MPMC). Neither of these agents are recited in claim 2.

For the above reasons, applicants respectfully submit that the claimed invention as presently amended is different from and patentable over Mizumoto.

AUTHORIZATION

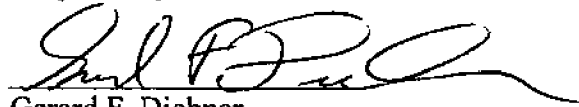
If the Examiner believes that issues may be resolved by telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 801-2134. The undersigned may also be contacted by e-mail at diebnerg@gtlaw.com.

No additional fee is believed to be necessary. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 50-1561.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-1561.

Dated: September 25, 2006

By: Respectfully submitted,



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